IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. W.P. No.1059 of 2006

DATE OF DECISION:28.11.2006

Mahender Singh .....Petitioner

Versus

State of Haryana & Ors. .....Respondents

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- None for the petitioner.

Shri SS Patter, Sr. DAG, Haryana.

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Petitioner Mahender Singh, claiming himself to be brother of the detenu, has filed this petition under Article 226 of the Constitution of India for issuance of a writ in the nature of habeas corpus alleging therein that his brother Bhanwar Singh was illegally taken into custody by respondent No.3 on 15.11.2006 and is still in illegal custody.

A Warrant Officer was also appointed to search the alleged detenu in the Police Station and submit his report. As per the report of the Warrant Officer, the alleged detenu Bhanwar Singh was found in the Police Station being an accused in case FIR No. 240 dated 15.11.2006 and his arrest was duly shown in the record. A reply to this effect has also been filed by Superintendent of Police, Karnal, in Court today and the same is taken on record. In the reply, it has been stated that the alleged detenu Bhanwar Singh was arrested on 21.11.2006 and was produced before the Ilaqa Magistrate on 22.11.2006 and the police remand was obtained and now he is in judicial custody.

In view of the report of the Warrant Officer as well as the reply filed by respondent State, no further action is required in this petition.

Dismissed.

November 28, 2006 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**